

**IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE**

Patent Application

Inventor: Wu Chou et al.

Serial No.: 10/668577

Conf. No.: 3052

Filing Date: 9-23-2003

Art Unit: 2443

Examiner: Nguyen, Phuoc

Docket No.: 633-006US

Title: Secure interaction between a mobile client device and an enterprise application in a communication system

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

PRE-APPEAL BRIEF REQUEST FOR REVIEW

The applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

Respectfully,
Wu Chou et al.

By **/Kiril Dimov/**
Kiril Dimov
Reg. No. 60,490
Attorney for Applicants
732-578-0103 x215

DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America

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Dear Sir:

PRE-APPEAL BRIEF REMARKS

The applicants would like to thank Examiner Phuoc for his gracious assistance in obtaining a copy of Provisional Application Number 60/326,826.

Claims 1-22 were presented for examination and were rejected. The applicants submitted an amendment after final rejection which was also rejected. The applicants traverse.

Prosecution History

In the final Office Action issued on 19 September 2008, the Office rejected Claims 21-23 under 35 U.S.C. 102(e) as being anticipated by M. Galey, U.S. Publication 2003/0065749 (hereinafter "the Galey non-provisional application").

The applicants amended the claims in an Amendment After Final Rejection filed on 19 November 2008. More precisely, claims 1, 21, and 22 were amended to incorporate the limitations of canceled claim 15.

In the Advisory Office Action issued on 24 December 2008, the Office rejected the claims as amended after the final rejection. The Office asserted that Provisional Application

No. 60/326,826 (hereinafter "the Galey provisional application"), which is the parent of Galey, taught the new limitations to claims 1, 21 and 22.

Provisional Application Number 60/326,826 is Not a Proper Reference

Claims 1-22 were rejected under 35 U.S.C. 102 as being anticipated by Provisional Application No. 60/326,826 (hereinafter "the Galey provisional application"). The applicants respectfully traverse.

The Galey provisional application is not a proper prior art reference for the purposes of 35 U.S.C. 102. The Galey provisional application did not become available to the public until the Galey non-provisional application was published. The present application claims priority to 20 December 2002 while the Galey provisional application was published on 3 April 2003. Because the Galey non-provisional application was published after the priority date of the present Application, the applicants submit that the Galey non-provisional application is not a proper prior art reference with respect to the present Application. Therefore, the applicants respectfully traverse the rejection of claims 1-22.

35 U.S.C. 102 Rejection of Claims 1-23

In the Advisory Office Action issued on 24 December 2008, the Office rejected the claims as amended after the final rejection. The Office asserted that Provisional Application No. 60/326,826 (hereinafter "the Galey provisional application"), which is the parent of M. Galey, U.S. Publication 2003/0065749 (hereinafter "the Galey non-provisional application"), taught the new limitations to claims 1, 21 and 22.

The applicants respectfully traverse.

Claim 1 recites:

1. A method for use in providing interaction between an enterprise application and a mobile client device in a communication system, the method comprising the steps of:

generating push content in a server, responsive to information received in the server from the enterprise application, the push content being deliverable from the server to the mobile client device over a wireless network; and

receiving in the server from the mobile client device, responsive to the push content, a request for **additional information identifiable** at least in part by the push content, the additional information being deliverable from the server to the mobile client device over the wireless network

wherein the push content comprises at least one embedded uniform resource identifier (URI), and the additional information is identifiable by the at least one embedded URI.

(emphasis supplied)

Neither the Galey provisional nor the Galey non-provisional application teach what claim 1 recites — namely, the submission of a uniform resource identifier with push content, such that additional information is identifiable by the uniform resource identifier.

In the advisory office action, the Office wrote:

In general, the exact wording of the claim language 15 might not be seen directly in the provisional application however the **same context** of the limitations of [canceled] claim 15 is reasonably and logically seen in the provisional application as clear addressed above.

Advisory Office Action dated 12/24/2008

The applicants agree that the limitations of claim 1 cannot be seen in the provisional application.

The applicants also agree with the office that the present invention and the provisional application share the same context.

However, the applicants disagree with the assertion of the office that claim 1 is anticipated by the provisional application. Mere similarity in context is not sufficient for the provisional application to anticipate claim 1. In order for the provisional application to anticipate claim 1, the provisional application must at the very least suggest all of the elements recited in claim 1, which it does not.

Claim 1 recites the following combination of tasks that the provisional application, alone or in combination with Galey, does not teach or suggest:

- (1) Additional information, obtainable from a server, is made identifiable by a uniform resource identifier; and
- (2) Push content is generated by the server, and submitted to a mobile device client, where the push content comprises the **uniform resource identifier**, such that the push content is used to identify the additional information.

The provisional application discloses four separate inventions titled: Virtual Customer Database, Multi Modal Callback, Service Authorizer, and Multi-Mode Messaging. Although, the disclosure of Virtual Customer Database teaches the use of "Push Services," the push services disclosed are not used to carry a uniform resource identifier for additional information, where the additional information is obtainable for a server, as claim 1 recites. **See page 8 of Virtual Customer Database disclosure of the Galey provisional application.**

In particular the Office cited "the last paragraph of page 8, first paragraph of page 13, and the last paragraph of page 5 to the first paragraph of page 6" of the Galey provisional application as teaching the submission of push content comprising a uniform resource identifier. **See Advisory Office Action dated 12/24/2008.** Because the disclosure for each invention within the Galey provisional application has independent page numbering, the applicants inferred from the context that the Office meant pages 8 and 13 of the disclosure for Multi-Mode Messaging, and pages 5 and 6 of the disclosure for Virtual Customer Database.

The last paragraph of page 8 of the disclosure for Multi-Mode Message of the provisional application recites:

...The preferred embodiment of the invention, the method and protocols, for transmitting information in the form of text from the system to the terminal include but are not limited to short message service, wireless application protocols, and email...

The first paragraph of page 13 of the disclosure for Multi-Mode Message of the provisional application recites:

...The system format s the content for the terminal using available information about the terminal and the users preferences. They system may use a trans-coding application capable of formatting content for various terminals and languages such as, WML, HTML, plain text...

The last paragraph of page 5 and the first paragraph of page 6 the disclosure for Virtual Customer Database:

...If it is created inside the participating company's firewalls, then it must be enabled for external system access via one or more technologies, including but not limited to:

- XML
- SOAP
- CORBA
- HTTP
- HTML
- ...

Although the cited paragraphs refer to the use of Internet-based protocols, they do not suggest the submission of push content comprising a uniform resource identifier which identifies additional information that is obtainable from the server that generated the push content.

For the foregoing reasons, the applicants respectfully traverse the rejection of claim 1.

Because Claims 2-20 depend on claim 1, the applicants respectfully traverse the rejection of them.

For the same reasons as for claim 1, the applicants respectfully traverse the rejection of claim 21.

For the same reasons as for claims 1 and 21, the applicants respectfully traverse the rejection of claim 22.

Respectfully,
Wu Chou et al.

By **/Kiril Dimov/**
Kiril Dimov
Reg. No. 60,490
Attorney for Applicants
732-578-0103 x215

DeMont & Breyer, L.L.C.
Suite 250
100 Commons Way
Holmdel, NJ 07733
United States of America